

MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY JULY 18, 1994 8:00 P.M. TRUSTEES MEETING ROOM, 85 MAIN STREET, IRVINGTON, NEW YORK.

Present: Dennis P. Flood, Mayor
Sheila M. Attai, Trustee
Garrard R. Beeney, Trustee
James McNiff, Trustee
Robert H. Pouch, Trustee
Stephen A. McCabe, Administrator
Kevin J. Plunkett, Village Attorney
Lawrence S. Schopfer, Clerk-Treasurer
Robert M. Bauer, Superintendent of Public Works
Richard A. Denike, Police Chief
Eugene Hughey, Building Inspector

The meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood presented former Trustee Barry Seaman with a plaque acknowledging Mr. Seaman's years of service to the Village.

Mayor Flood discussed the formation of the Irvington Housing Development Fund Corp relating to the Affordable Housing Project. He recognized Marilyn Moore as President of this organization. He also noted that Clerk-Treasurer Lawrence Schopfer and Village Attorney Kevin Plunkett would review the incorporation papers. After review, Mr. Schopfer would execute the incorporation papers.

Mayor Flood opened the floor to public comment. Fire Chief Michael Colantuono discussed the formation of a committee to purchase a new ladder truck.

Barbara Denyer requested that the Board keep the Burnham Building, rather than selling all or part of the building. Ms. Denyer further indicated that according to the Board minutes, it was never the Board's intention to sell any portion of the building. Mayor Flood responded by stating that some form of a sale was the intention from the beginning. Former Trustee Seaman indicated that it was clear to the Board at that time that the cost of keeping the entire building would be prohibitive. Former Mayor Robert Reisman stated that the Board's intention could be confirmed by referring to the bond resolution passed in 1992. The resolution provides for up to \$500,000 in taxable bonds for the purchase of property for resale.

Michael Jewel and Christine Hepburn discussed the possible sale of a property on North Eckar Street to a limousine company. Mr. Jewel questioned their recourse as residents of that street. Village Attorney Plunkett indicated that depending on the circumstances, the matter would be taken up by the Zoning Board. Any future requests should be directed at the Zoning Board.

Regarding the Burnham Building, Ms. Denyer requested a public meeting to discuss the future course of the project. Mayor Flood indicated that the Board has continually kept the public informed about the project at its Board meetings and coverage in local newspapers (Enterprise, Tarrytown Daily News, Viewpoint). He further indicated that the Board sent out RFP's and only 3 responses were received. Subsequent to that, an advertisement was placed in the New York Times. This resulted in 17 interested parties with approximately 5 full-scale proposals. Trustee Beeney indicated that if the Village were to retain the entire building and construct a library within the first floor, the Village tax rate would suffer as a result. He reiterated that this project is not a "non-issue", contrary to recent press reports.

Frank Campbell asked whether the Board has ruled anything out in terms of proposals. Mayor Flood indicated that it was not in the best interest of the Village to rule any proposals out at this time. Fred Erlich asked whether the Board knew about the loading problem on the upper floors. Mayor Flood indicated that the preliminary engineering report on the property did not indicate a problem. Mr. Erlich also questioned whether the Board knew of the asbestos located in the building. Village Administrator Steve McCabe stated that the Village was completely aware of such asbestos and only considered it a minor problem because the quantity present is relatively small.

Adele Warnock indicated that sale lease-back transactions are very common. Brenda Livingston stated that the press should be more concerned with writing correct facts rather than creating stories. Barbara Denyer stated again that she was not informed about the Board's intention of selling all or part of the building. Frank Campbell questioned whether the Board has considered the environmental aspects of the building such as heating, air conditioning, and humidity controls. Trustee Pouch noted that the Library Board together with its architects/consultants are working on these aspects.

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Library Board Chairwoman Mary Morrisett gave an overview of the entire project. Trustee Pouch reminded all in attendance that the Burnham Building is merely the physical aspect of this project. He stated that there is more to a library than the building. The Village Board and the Library Board are working towards an end result of giving the community a library under a reasonable financial arrangement. He continued further by stating that it was premature to press the Village or Library Board while the bidding process is still going on.

Trustee Attai made a motion to adopt the minutes of the regular meetings of the Village Board held on June 20, 1994 as amended. The motion was seconded by Trustee Pouch and unanimously approved.

Mayor Flood read the following communications: Eurotech heating regarding construction at the Burnham Building; State Comptroller H. Carl McCall regarding the adopted increases in State Aid; Mariah Griffiths regarding police department authority on School property; and John Badami regarding the Trent Building property. A copy of each communication is attached hereto as a part of these minutes.

Trustee Attai discussed the water department activities over the past month. She noted that there had been an electrical failure on July 6th at the Mountain Road water tank/pump station. Emergency repairs were made and permanent repairs would be contemplated.

Trustee McNiff discussed various Recreation department activities including the upcoming summer basketball camp and the resurfacing of the middle school basketball court. He also noted that the Fire department has begun talking about replacing the 1965 ladder truck.

Trustee Pouch noted that the Village is awaiting bids for paving, including the paving of Main Street and East Sunnyside Lane. Also, the Department of Public Works repaired a water main break on East Clinton Avenue which produced a 10 foot diameter crater.

Trustee Beeney summarized the results of the Home Office Census which was completed by residents by July 1, 1994. He also discussed the June police report. In addition, he noted that in addition to the usual "slip and fall" lawsuits, the Village has been noticed by the Fieldpoint Association seeking damages up to \$2,000,000.

Village Administrator Steve McCabe noted that the Board had been approached regarding the construction of an awning overhanging a Village sidewalk on Main Street. Mr. McCabe requested approval of the construction of this awning subject to the following restrictions: 1) it must extend from the building over the sidewalk no more than three feet; 2) no lights on the awning; and 3) proper insurance indemnification is given to the Village. Trustee Pouch made a motion to approve this structure subject to the aforementioned restrictions. Trustee Attai seconded the motion and it was approved unanimously.

Mr. McCabe cited the previously mentioned repair work at the Mountain Road tank. He requested an emergency appropriation of \$45,000 from the Water Fund Surplus to be used to cover costs of the emergency repair and provide for the permanent repair need at the site. A motion was made by Trustee Pouch to approve this budgetary appropriation and seconded by Trustee Attai and unanimously approved.

Upon a motion made by Trustee Attai and seconded by Trustee Pouch and unanimously approved, the Board approved the payment of the July bills subject to audit.

Trustee Attai made a motion for the Board to adjourn to executive session to take up litigation and personnel matters. The motion was seconded by Trustee Pouch and unanimously approved.

After reconvening from executive session the Village Board approved the retainage of Judge Martin in the matter concerning Ardsley Country Club.

There being no further business to conduct, the meeting was adjourned.

Lawrence S. Schopfer, Clerk-Treasurer

Attachments